

10/12

September 28, 2022

STATEMENT OF PROCEEDINGS

The Minutes of the

***BOARD OF SUPERVISORS
REGULAR MEETING
PLANNING AND LAND USE MATTERS***

COUNTY OF SAN DIEGO

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS - LAND USE
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, SEPTEMBER 28, 2022, 9:00 AM
COUNTY ADMINISTRATION CENTER, ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

- A. **REGULAR SESSION:** Meeting was called to order at 9:03 a.m.

PRESENT: Supervisors Nathan Fletcher, Chair; Nora Vargas, Vice-Chair; Joel Anderson; Terra Lawson-Remer; Jim Desmond; also, Ryan Sharp, Assistant Clerk of the Board of Supervisors

(Members of the Board of Supervisors attended the meeting via teleconference and participated in the meeting to the same extent as if they were present, pursuant to Resolution No. 22-136, adopted September 13, 2022.)

- B. Closed Session Report
- C. Non-Agenda Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.
- D. Approval of the Statement of Proceedings/Minutes for the meeting of September 14, 2022.

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Anderson, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Regular Board of Supervisors meeting of September 14, 2022.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

- E. Consent Calendar
- F. Discussion Items

NOTICE: THE BOARD OF SUPERVISORS MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY COUNTY STAFF DO NOT LIMIT ACTIONS THAT THE BOARD OF SUPERVISORS MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS IN THE BOARD LETTER AS DETERMINATIVE OF THE ACTION THE BOARD OF SUPERVISORS MAY TAKE ON A PARTICULAR MATTER.

Board of Supervisors' Agenda Items

- | Agenda # | Subject |
|-----------------|--|
| 1. | ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
TRAFFIC ADVISORY COMMITTEE (09/14/2022 - ADOPT
RECOMMENDATIONS; 09/28/2022 - SECOND READING OF AN ORDINANCE)
[FUNDING SOURCE: STATE HIGHWAY USER TAX ACCOUNT] |
| 2. | SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS TOTALING
OVER \$5,000 TO THE DEPARTMENT OF PARKS AND RECREATION |
| 3. | ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD A
CONSTRUCTION CONTRACT FOR THE REPAIR OF CULVERT
HEADWALLS ON LONE OAK ROAD
[FUNDING SOURCE: AVAILABLE PRIOR YEAR ROAD FUND
FUND BALANCE]
(4 VOTES) |
| 4. | GILLESPIE FIELD - GKN AEROSPACE CHEM-TRONICS, INC. -
APPROVAL OF THREE LEASE AMENDMENTS FOR SCHEDULED
RENT ADJUSTMENT ONLY
[FUNDING SOURCE: RENTAL PAYMENTS FROM THE LESSEES
UNDER THE TERMS OF THE AMENDED LEASES]
(4 VOTES) |
| 5. | FALLBROOK AIRPARK - APPROVAL OF FOUR LEASE
AMENDMENTS FOR SCHEDULED RENT ADJUSTMENT ONLY
[FUNDING SOURCE: RENTAL PAYMENTS FROM THE LESSEES
UNDER THE TERMS OF THE AMENDED LEASES]
(4 VOTES) |
| 6. | NOTICED PUBLIC HEARING:
TRANSPORTATION STUDY GUIDE TO IMPLEMENT VEHICLE
MILES TRAVELED ANALYSIS DURING ENVIRONMENTAL
REVIEW IN THE UNINCORPORATED AREAS, UPDATE ON THE
PARCEL-BY-PARCEL ANALYSIS, AND UPDATES TO FIRE
SAFETY GUIDELINES AND STANDARDS
[FUNDING SOURCE: ONE-TIME GENERAL PURPOSE REVENUE] |
| 7. | RETURN BACK ON EXPLORATION OF COMMUNITY BENEFITS
AGREEMENTS, AND SEEKING BOARD DIRECTION ON
PROGRAM OPTIONS FOR FUTURE CONSIDERATION
[FUNDING SOURCE: EXISTING ONE-TIME GENERAL PURPOSE
REVENUE] |
| 8. | PUBLIC COMMUNICATION |

1. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
TRAFFIC ADVISORY COMMITTEE (09/14/2022 - ADOPT
RECOMMENDATIONS; 09/28/2022 - SECOND READING OF AN
ORDINANCE) (DISTRICTS: ALL)**

OVERVIEW

On September 14, 2022 (08), the Board of Supervisors took action to further consider and adopt the Ordinance on September 28, 2022.

The Traffic Advisory Committee (TAC) is part of the Department of Public Works (DPW) traffic engineering program. TAC was established by the Board of Supervisors (Board) in the 1960s to provide traffic regulations and recommendations within the unincorporated area of the county. To be effective, TAC proposes policies that will enhance safety, reduce congestion and be legally enforceable so that the majority of motorists will comply. The TAC meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices such as speed limits, stop signs, traffic signals, and parking regulations on County of San Diego (County) maintained roads. Upon receipt of a request or recommendation for a traffic regulation in unincorporated areas of the county, the TAC reviews and investigates the requested item, including engineering and traffic condition studies. TAC recommendations are provided to the Board for consideration.

The TAC recommends the Board act on twelve items from the April 22, 2022, TAC meeting agenda:

Items from the 04/22/2022 TAC Meeting			
District	Item	Location	Action
2	2-A	Dunbar Lane & Chocolate Summit Drive / Olde Highway 80, Blossom Valley	Place intersection on the County's Traffic Signal List for design and construction.
2	2-B*	Alpine Heights Road, Alpine	Relocate the western endpoint and certify a 35 miles per hour (MPH) speed limit.
2	2-C*	Lakeside Avenue, Lakeside Farms	Reduce the 35 MPH speed limit to 25 MPH and certify.
3	3-A*	Calzada del Bosque, Rancho Santa Fe	Reduce the 50 MPH speed limit to 45 MPH and certify.
District	Item	Location	Action
3	3-B*	Calzada del Bosque, Rancho Santa Fe	Reduce the 45 MPH speed limit to 40 MPH and certify.
3	3-C	Via de Fortuna, Rancho Santa Fe	Certify the 35 MPH speed limit.
3	3-D*	Via de Fortuna, Rancho Santa Fe	Reduce the 45 MPH speed limit to 35 MPH and certify.
4	4-A	Lamar Street & Helix Street (east intersection), Spring Valley	Establish an all-way stop intersection.

4	4-B	Lamar Street & Helix Street (west intersection), Spring Valley	Establish an all-way stop intersection.
4	4-C	Lamar Street & Vista Drive, Spring Valley	Establish an all-way stop intersection.
5	5-A*	Pauma Reservation Road, Pauma	Reduce the 45 MPH speed limit to 40 MPH and certify.
ALL	A	County Maintained Roads, Countywide	Approve the Local Roadway Safety Plan.
* Indicates second reading of ordinance is required.			

Approval of Item 2-A on Dunbar Lane & Chocolate Summit Drive / Olde Highway 80 in Blossom Valley (District 2) will allow for the intersection to be added to the County's priority list of installation or modification of traffic signals. Adding a traffic signal will provide safety enhancement measures for pedestrians, bicyclists, and all other roadways. Properly designed traffic control signals at intersections reduce the number and severity of collisions by providing for the orderly movement of traffic and interrupting heavy traffic at intervals to permit other traffic to cross.

Approval of Items 2-B on Alpine Heights Road in Alpine (District 2), 2-C on Lakeside Avenue in Lakeside Farms (District 2), 3-A and 3-B on Calzada del Bosque in Rancho Santa Fe (District 3), 3-C and 3-D on Via de Fortuna in Rancho Santa Fe (District 3), and 5-A on Pauma Reservation Road in Pauma (District 5) would support speed enforcement which increases roadway safety and retains mobility. Properly posted speed limits provide feedback to drivers to improve traffic safety, reduce the number and severity of collisions, and allow for fair enforcement.

Approval of Items 4-A on Lamar Street & Helix Street (east intersection) in Spring Valley (District 4), 4-B on Lamar Street & Helix Street (west intersection) in Spring Valley (District 4), and -C on Lamar Street & Vista Drive in Spring Valley (District 4) would provide safety enhancement measures for pedestrians, bicyclists, and all other roadway users by assigning a full stop to all approaches at three intersections. Properly posted stop controls at intersections reduce the number and severity of collisions by assuring reasonable drivers enter intersections at a low speed and have more time to take heed of the traffic situation.

The Board's action on Items 2-A on Dunbar Lane & Chocolate Summit Drive / Olde Highway 80 in Blossom Valley (District 2), 3-C on Via de Fortuna in Rancho Santa Fe (District 3), 4-A on Lamar Street & Helix Street (east intersection) in Spring Valley (District 4), 4-B on Lamar Street & Helix Street (west intersection) in Spring Valley (District 4), and 4-C on Lamar Street & Vista Drive in Spring Valley (District 4), and A regarding the Local Roadway Safety Plan (All Districts) does not revise the San Diego County Code of Regulatory Ordinances and therefore does not require a second reading of an ordinance. Board direction on September 14, 2022, would allow implementation by DPW.

The Board's action on Items 2-B on Alpine Heights Road in Alpine (District 2), 2-C on Lakeside Avenue in Lakeside Farms (District 2), 3-A and 3-B on Calzada del Bosque in Rancho Santa Fe (District 3), 3-D on Via de Fortuna in Rancho Santa Fe (District 3), and 5-A on Pauma Reservation Road in Pauma (District 5) would introduce an ordinance to amend speed limit zones. This action would revise County Code and require two steps. On September 14, 2022, the Board would consider the TAC items. If the Board takes action as recommended on September 14, then on September 28, 2022, a second reading and adoption of ordinances amending County Code would be necessary to implement the Board's direction.

Approval of Item A, the County of San Diego Local Roadway Safety Plan (LRSP) (All Districts), would ensure that a data-driven approach is used to prioritize future roadway projects and focus on locations and communities in most need of safety improvements. LRSP also serves as a springboard towards reducing the number of fatalities and serious injuries by analyzing, identifying, and prioritizing roadway safety on County roadways. The prioritization method considers collision severity, collision frequency, and data from CalEnviroScreen and the Healthy Places Index, to ensure an equitable distribution of projects with a focus on improving roads in underserved communities within the unincorporated areas. The finalized LRSP ensures that the County will be eligible for State and grant funding and will help direct project funds to areas in most need. The LRSP will help communities and stakeholders understand the types of collisions occurring and support the County in making informed and proactive roadway infrastructure safety decisions. The LRSP is a living document that will be continually reviewed and updated to reflect changes in local needs and priorities.

RECOMMENDATION(S)

TRAFFIC ADVISORY COMMITTEE

District 2:

Item 2-A. Dunbar Lane & Chocolate Summit Drive / Olde Highway 80 in Blossom Valley – Place intersection on the County's Traffic Signal List for design and construction.

Item 2-B. Alpine Heights Road from South Grade Road to Denova Drive in Alpine - Relocate the western endpoint of the speed zone from Denova Drive to the end of County maintenance (at 1,025 feet west of Alpine Trail Road) and certify a 35 MPH speed limit for radar enforcement.

Item 2-C. Lakeside Avenue from Riverside Drive to Palm Row Drive in Lakeside Farms – Reduce the existing 35 MPH speed limit to 25 MPH and certify the speed limit for radar enforcement.

District 3:

Item 3-A. Calzada del Bosque from Via de Santa Fe to Via de la Valle in Rancho Santa Fe - Reduce the existing 50 MPH speed limit to 45 MPH and certify the speed limit for radar enforcement.

Item 3-B. Calzada del Bosque from Via de la Valle to Linea del Cielo in Rancho Santa Fe – Reduce the existing 45 MPH speed limit to 40 MPH and certify the speed limit for radar enforcement.

Item 3-C. Via de Fortuna from El Camino del Norte to La Crescenta in Rancho Santa Fe – Certify the 35 MPH speed limit for radar enforcement.

Item 3-D. Via de Fortuna from La Crescenta to San Elijo in Rancho Santa Fe - Reduce the existing 45 MPH speed limit to 35 MPH speed limit for radar enforcement.

District 4:

Item 4-A. Lamar Street and Helix Street (east intersection) in Spring Valley - establish an all-way stop intersection.

Item 4-B. Lamar Street and Helix Street (west intersection) in Spring Valley - establish an all-way stop intersection.

Item 4-C. Lamar Street and Vista Drive in Spring Valley - establish an all-way stop intersection.

District 5:

Item 5-A. Pauma Reservation Road from State Route 76 to Adams Drive in Pauma - Reduce the existing 45 MPH speed limit to 40 MPH and certify the speed limit for radar enforcement.

All Districts:

Item A. Local Roadway Safety Plan - Approve the Local Roadway Safety Plan.

CHIEF ADMINISTRATIVE OFFICER

Consider and adopt the following Ordinance: ORDINANCE AMENDING SECTIONS 72.169.92.4., 72.175., 72.162.38., 72.162.3., 72.161.89.2., & 72.161.23.1. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-B, 2-C, 3-A, 3-B, 3-D, and 5-A).

EQUITY IMPACT STATEMENT

The review of traffic signs and roadway markings supports vehicle safety on County-maintained roads. The transportation system must be safe for all road users, for all modes of transportation, in all communities, and for people of all incomes, races, ethnicities, ages, and abilities. Understanding travel patterns, where fatal and serious injury crashes are occurring and the disproportionate impacts on certain communities will allow the Department of Public Works (DPW) to identify actions to address the underlying factors and causes and improve safety. The Traffic Advisory Committee (TAC) also relies on the DPW's Local Roadway Safety Plan (LRSP). LRSP is a plan that reviews fatal and severe injury collisions along road segments within the unincorporated areas of the county and utilizes data from the Healthy Places Index and CalEnviroScreen to ensure our most vulnerable and underserved populations are prioritized.

SUSTAINABILITY IMPACT STATEMENT

Implementing effective sustainability objectives is crucial to ensuring safe and healthy communities and contributing to the overall success of the region. The Traffic Advisory Committee partners with community and industry leaders in a public forum to recommend immediate, fair, and cost-effective road solutions that reduce collisions and prevent fatalities, mitigate vehicle idling, improve fire response times and regional readiness, and ensure justice in enforcement of traffic regulations.

Regarding today's action, properly designed traffic control signals at intersections reduce the number and severity of collisions and prevent fatalities by reducing conflict between pedestrians and vehicles. By improving the orderly movement of traffic and interrupting heavy traffic at intervals to permit other traffic to cross, it creates a safe and comfortable space for individuals traveling a different speed. These solutions combine to support economic, health, equity, and environmental sustainability goals in our diverse region by enhancing community quality-of-life, removing barriers to safe roadway access in underserved communities, and providing a safe and efficient roadway network for pedestrians, motorists, residents, the regional workforce, and all roadway users.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2022-23 Operational Plan for the Department of Public Works Road Fund. The funding source is State Highway User Tax Account. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10808 (N.S.), entitled: ORDINANCE AMENDING SECTIONS 72.169.92.4., 72.175., 72.162.38., 72.162.3., 72.161.89.2., & 72.161.23.1. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-B, 2-C, 3-A, 3-B, 3-D, and 5-A).

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

2. **SUBJECT: SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS TOTALING OVER \$5,000 TO THE DEPARTMENT OF PARKS AND RECREATION (DISTRICTS: ALL)**

OVERVIEW

The Department of Parks and Recreation (DPR) builds better health for individuals and families, enhances safety in communities and preserves the environment so that people can enjoy clean air, clean water, rich biodiversity, and access to open space. DPR's ability to provide exceptional customer service to millions of patrons each year is supported by

donations from the San Diego County Parks Society (Parks Society). The Parks Society is a nonprofit organization that was established in 1980 to support and improve DPR's vast park system. The Parks Society's support through donations helps to maintain and operate DPR parks and assists with ongoing and expanded programming.

Board of Supervisors (Board) Policy A-112, Acceptance and Use of Gifts and Donations, permits the acceptance of donations by the administrative head of each department of the County. County Administrative Code Section 66, Acceptance of Gifts, requires Board ratification of the acceptance of such gifts and approval prior to the expenditure of the gift if the gift exceeds \$5,000.

During the period of January 1, 2022 to June 30, 2022, DPR received donations from the Parks Society totaling \$24,550.90, (\$5,711.95 in cash donations and \$18,838.95 in non-cash donations, such as food, supplies, crafts, decorations and entertainment). These donations provided the materials and funding for multiple holiday events, active recreational events, educational programs, and animal care at parks throughout the County. County of San Diego Administrative Code, Section 66, Acceptance of Gifts, permits the acceptance of donations by the administrative head of each department of the County, not to exceed \$5,000 individually, subject to ratification by the Board of Supervisors (Board). A complete list of programs receiving donations, donation types and parks supported by the Park Society is shown in Attachment A.

Today's proposed action is to accept DPR's Report of Gifts and Donations for the period of January 1, 2022 to June 30, 2022, from the Park Society of \$24,550.90. There is no fiscal impact associated with these recommendations. There will be no change in net General Fund cost and no additional staff years.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed actions are not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15060(c)(2) and (3) and 15378(b)(5).
2. In accordance with Administrative Code Section 66, *Acceptance of Gifts* and Board Policy A-112, Acceptance and Use of Gifts and Donations, accept the County of San Diego Department of Parks and Recreation Report of Gifts and Donations from the San Diego County Parks Society for the period of January 1, 2022 to June 30, 2022, totaling \$24,550.90.

EQUITY IMPACT STATEMENT

The acceptance of donations from the San Diego County Parks Society helps maintain and operate County parks and helps to continue and expand special events, community celebrations and activities in nature for the benefit of all residents and visitors. The donations allow DPR to provide additional supplies and services to youth, families, and communities to encourage the sharing of experiences, cultural traditions, and resources to strengthen a sense of belonging. Donations in this period included bus transportation for school children to eight

DPR parks to learn about nature and sustainability by being hands on in the outside environment, and craft supplies for the Wings Over Wetlands program at San Elijo Lagoon & Nature Center. This program includes interpretation sessions on the type of birds that live and visit the lagoon and crafts and games that celebrate these birds and their nature habitat. The program includes children from Escondido who are provided bus transportation from their community to the coastal nature center through a grant program our partners, the Nature Collective have received. Annually the Nature Collective bring over 1,000 children to the Nature Center and Lagoon for similar DPR programs

SUSTAINABILITY IMPACT STATEMENT

The Department of Parks and Recreation (DPR) is committed to balancing recreation opportunities with efforts to protect and preserve our region's land, vegetation, wildlife, and natural resources. Programs are planned to support these efforts while expanding the number of residents that can experience DPR parks and programs. Donations from the San Diego County Parks Society support these goals by providing donations to expand programs, like Movies in the Park, provide care and food for Animal Ambassadors that are used in interpretation programs at schools and parks to connect the wildlife in DPR parks, and provide bus transportation for school children to participate in the Discovery Program in eight DPR parks (Stelzer, El Monte, Felicita, Flinn Springs, Guajome Regional, Los Penasquitos, Otay Lakes and San Dieguito Parks) to learn about nature and sustainability.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. The Department of Parks and Recreation received donations from the San Diego County Parks Society totaling \$24,550.90 (\$5,711.95 in cash donations and \$18,838.95 in non-cash donations) from January 1, 2022 to June 30, 2022. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

3. **SUBJECT: ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE REPAIR OF CULVERT HEADWALLS ON LONE OAK ROAD (DISTRICT: 5)**

OVERVIEW

The County of San Diego's (County) Department of Public Works (DPW) maintains over 18,000 drainage culverts in the unincorporated area. Drainage culverts are buried structures, typically constructed of concrete or metal pipe, that channel water away from structures, such

as buildings and roadways. Drainage culverts enhance safety for pedestrians and vehicles and protect the County's transportation system from deterioration and costly future repairs. DPW regularly conducts field inspections to evaluate the condition of drainage culverts that are County- maintained and determined that the drainage culvert located on Lone Oak Road near Buena Creek Road in the unincorporated North County Metro area near the City of Vista is damaged and needs to be repaired. Lone Oak Road is the only publicly maintained road in and out of this small community consisting of approximately 95 homes. The drainage culvert allows water flowing in Buena Creek to cross under Lone Oak Road. Inspection of the drainage culvert identified damage to the drainage culvert headwalls that protect the roadway on either end of the pipe, and the protective railing that prevents vehicles from leaving the roadway and entering Buena Creek. The damage to the drainage culvert and headwalls includes general deteriorations, as well as cracks and missing concrete from vehicles impacting the protective railing.

This project will repair and replace the existing headwalls on both the upstream and downstream side of the existing culvert, as well as replace the protective railing. Headwalls and railings support and protect the roadway crossing over the culvert; prevent erosion as water is directed into the culvert and provide a barrier to help prevent vehicles from exiting the roadway and entering the creek. During construction, traffic control measures will be in place to limit impacts on the community and traveling public, including a temporary traffic signal.

This is a request to establish appropriations and approve the public advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder for the repair of culvert headwalls on Lone Oak Road in the North County Metro area. Construction costs are estimated at \$590,000 and work is scheduled to begin in fall 2022 and be completed by the end of 2022. The total project cost including design, environmental review, and construction is estimated at \$800,000. The funding source is Road Fund fund balance.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15301(c) of the California Environmental Quality Act (CEQA) that the proposed project is categorically exempt from CEQA review because it involves the maintenance of existing public roads involving no or negligible expansion of existing use.
2. Establish appropriations of \$800,000 in the Department of Public Works Road Fund for the Lone Oak Road Culvert Headwall Repair project based on available prior year Road Fund fund balance. **(4 VOTES)**
3. Authorize the Director, Department of Purchasing and Contracting, to take any action necessary to advertise and award a contract and to take other action authorized by Section 401 et seq., of the Administrative Code with respect to contracting for the Construction Contract for the project.
4. Designate the Director, Department of Public Works, as the County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

EQUITY IMPACT STATEMENT

As part of the culvert headwall evaluation that was conducted, the Department of Public Works identified that this culvert is within an underserved community as defined in the combined CalEnviroScreen and Healthy Places Index databases, which are commonly used online tools to assess demographical characteristics of a given community. The proposed improvements will provide significant benefits to the residents who routinely utilize Lone Oak Road to access their homes, neighborhood schools, businesses, and other facilities in this community. Mailers have been provided in English and Spanish to surrounding residences and businesses to ensure equitable community access and participation for this project.

SUSTAINABILITY IMPACT STATEMENT

This culvert headwall repair supports County sustainability goals by maintaining roadway assets to preserve infrastructure for future use as well as reducing soil erosion at and near the roadway structure that enters Buena Creek and eventually is transported to the Hedionda Lagoon ecosystem and habitat. Construction impacts to the Buena Creek habitat will be minimized by having all construction equipment perform work from Lone Oak Road, which would avoid any sensitive environmental resources in Buena Creek.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2022-23 Operational Plan in the Department of Public Works Road Fund Detailed Work Program. If approved, the total estimated cost for the Lone Oak Road Culvert Headwall Repair project is \$800,000. The funding source is available prior year Road Fund fund balance. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

County construction contracts are competitively and publicly bid and help stimulate the local economy by creating primarily construction related employment opportunities. All workers employed on public works projects must be paid prevailing wages determined by the California Department of Industrial Relations, according to the type of work and location of the project. The prevailing wage rates are usually based on rates specified in collective bargaining agreements.

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

4. **SUBJECT: GILLESPIE FIELD - GKN AEROSPACE CHEM-TRONICS, INC. - APPROVAL OF THREE LEASE AMENDMENTS FOR SCHEDULED RENT ADJUSTMENT ONLY (DISTRICT: 2)**

OVERVIEW

Gillespie Field is a general aviation airport located within the municipal limits of the City of El Cajon and is one of eight airports owned by the County of San Diego (County) and operated by the Department of Public Works (DPW). The County airports system is operated,

maintained, and improved using lease revenues and federal and State grant funding, with no General Fund dollars. The airport is a gateway to and from San Diego's east county providing infrastructure, facilities, and services to corporate and general aviation. Along with aviation-related facilities, Gillespie Field includes three off-airport industrial parks with industrial, manufacturing, and small commercial uses, such as plumbing and construction companies, guitar, decal, aerospace, pool supplies, irrigation supplies, and delis. DPW leases land at these industrial parks at a market rate to multiple businesses. Leasing of airport land generates nearly \$6.25 Million annually in rent revenue for the Airport Enterprise Fund, which is used by DPW to ensure that all County airports are properly maintained and safe for airport users and the surrounding communities.

GKN Aerospace Chem-Tronics, Inc., formerly known as Chem-Tronics, Inc., manufactures parts, systems, and engine components for high-performance aircraft. They are one of east county's largest employers, with 800 people working at its El Cajon campus. On August 8, 1984 (59), the Board of Supervisors (Board) approved a 55-year industrial lease (County Contract Number 70619R) with Chem-Tronics, Inc. for approximately 4.38 acres. Subsequently, additional parcels were included in this lease, and with the Board approvals on January 29, 1994 (57), June 4, 1996 (22), and October 19, 2016 (10), the leasehold gradually expanded to its current size of 5.96 acres. On June 4, 1996 (22), the Board approved a 15-year lease with Chem-Tronics, Inc. (County Contract Number 71871R) for approximately 4.946 acres, which was amended on September 20, 2006 (15) to extend the term through June 30, 2040. On April 22, 2015 (5), the Board approved a new 25-year lease with GKN Aerospace Chem-Tronics, Inc. (County Contract Number 315017) for approximately 1.46 acres. These three leases require periodic renegotiated rent adjustments, consistent with market rates. The current renegotiated adjustment is scheduled to take effect retroactively to July 1, 2022. While negotiations began in the Fall of 2021, it took time for the parties to have multiple appraisals completed and the parties did not reach an agreement on the proposed rental rate until late May 2022, at which point there was not enough time to bring these amendments to the Board before the July 1, 2022, effective date specified in the leases.

This is a request to approve the sixth amendment to industrial lease for Contract Number 70619R, the third amendment to industrial lease for Contract Number 71871R, and the first amendment to industrial lease for Contract Number 315017 with GKN Aerospace Chem-Tronics, Inc. These amendments will increase monthly rents, retroactive to July 1, 2022, to reflect market rates, as negotiated and agreed to by the parties, based on the appraisal.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, that the proposed three lease amendments are categorically exempt from CEQA review as they consist of the leasing of existing facilities involving negligible or no expansion of existing or former use.
2. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the sixth amendment to industrial lease with GKN Aerospace Chem-Tronics, Inc. (County Contract Number 70619R) (4 VOTES).

3. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the third amendment to industrial lease with GKN Aerospace Chem-Tronics, Inc. (County Contract Number 71871R) **(4 VOTES)**.
4. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the first amendment to industrial lease with GKN Aerospace Chem-Tronics, Inc. (County Contract Number 315017) **(4 VOTES)**.

EQUITY IMPACT STATEMENT

Gillespie Field is one of eight airports owned and operated by the County of San Diego (County) that provide vital air transportation hubs, emergency response facilities, and economic benefits. The County pursues delivery of these services in a fair and equitable manner and actively works to remove barriers by providing information in multiple languages and via various means, encouraging participation, and providing competitive opportunities for small businesses and business owners and managers who may be socially and economically underserved.

SUSTAINABILITY IMPACT STATEMENT

The State and County have made addressing climate change and sustainability two of the top priorities for our communities. On January 13, 2021 (5), the Board directed staff to ensure the Climate Action Plan Update (CAP Update) will meet and exceed Senate Bill 32 greenhouse gas emissions reductions by 2030 and establish actions to meet a goal of net zero carbon emissions by 2035-2045. The CAP Update applies to the unincorporated area of the county and County facilities throughout the region, including all eight County airports.

On January 27, 2021 (3), the Board directed the creation of a Regional Decarbonization Framework (RDF) to look at ways to reach zero carbon emissions throughout the region. The RDF analyzed the emissions generated by various industry sectors throughout the region and will provide implementation actions recommended for the decarbonization, for example with buildings that could be used by County facilities such as airports. Planning, coordinating, and implementing effective sustainability objectives and measures are crucial to reducing the County's impact and ensuring safe and healthy communities.

In accordance with these actions, DPW is working to incorporate new environmental sustainability language and goals to our airport property leases as new leases are created or as existing leases are amended for reasons other than scheduled rent adjustments only. Today's action involves scheduled rent adjustments only, and as such, the amendments do not address changes in environmental sustainability in the subject leases.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2022-23 Operational Plan in the Department of Public Works, Airport Enterprise Fund. If approved, this request will result in revenue of \$872,628 in FY 2022-23, which is an increase of \$41,076 over the current budgeted amount of \$831,552. It will also result in revenue of \$872,628 in FY 2023-24. The funding source is rental payments from the lessees under the terms of the amended leases. There will be no change in net General Fund cost and no additional staff years required.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

5. SUBJECT: FALLBROOK AIRPARK - APPROVAL OF FOUR LEASE AMENDMENTS FOR SCHEDULED RENT ADJUSTMENT ONLY (DISTRICT: 5)

OVERVIEW

Fallbrook Airpark is a general aviation airport located in the unincorporated community of Fallbrook and is one of eight airports owned by the County of San Diego (County) and operated by the County Department of Public Works (DPW). The County airports system is operated, maintained, and improved using lease revenues and federal and State grant funding, with no General Fund dollars. In 1963, the United States government transferred to the County a portion of the land currently occupied by Fallbrook Airpark to develop for public aviation use. In 1968, another portion of land was transferred to the County, for non-aviation development consistent with aviation uses. Fallbrook Airpark provides aviation infrastructure, aircraft storage, maintenance, parts, supplies, repairs, and flight training services to general aviation users. Fallbrook Airpark also serves the community's needs by providing a helipad for emergency helicopter operations and by leasing the land to agricultural businesses and operators of recreational sports venues, including youth and adult baseball/softball fields, outdoor soccer/lacrosse fields, and a tennis club. Fallbrook Airpark has 18 leases, which generate annual revenues to the County of approximately \$578,000. Leasing of airport land generates revenue for the Airport Enterprise Fund, which is used by DPW to ensure that all County airports are properly maintained and safe for airport users and the surrounding communities.

There are four aviation leaseholds at Fallbrook Airpark. On March 26, 2008 (8), the Board of Supervisors (Board) approved a 30-year aviation lease for approximately 6.03 net acres with Aircraft Hangar Management, LLC. On March 26, 2008 (10), the Board also approved a 30-year aviation lease for approximately 4.11 net acres with L18 Airpark Corporation. In 2011, L18 Airpark Corporation sold its leasehold interest to a different company, L18 Airpark, LLC. On October 14, 2015 (3), the Board approved a 30-year aviation lease for approximately 0.976 acres with Murray Investment Company, LLC. On January 25, 2017 (3), the Board approved a 20-year aviation lease for approximately 3.71 acres with Fallbrook Air Service, Inc. These four leases require rent to be renegotiated every five years to keep current with market rates. The rent adjustments are scheduled to be effective on November 1, 2022, for Murray Investment Company, LLC, February 1, 2023, for Fallbrook Air Service, Inc., March 1, 2023, for Aircraft Hangar Management, LLC, and June 1, 2023, for L18 Airpark, LLC.

This is a request to approve the fourth amendments to lease for Contract Number 75673R with Aircraft Hangar Management, LLC and Contract Number 124436 with L18 Airpark, LLC, the third amendment to lease for Contract Number 316001 with Murray Investment Company, LLC, and the second amendment to lease for Contract Number 317016 with Fallbrook Air Service, Inc. These amendments will increase monthly rents to reflect market rates as negotiated and agreed to by the parties based on the appraisal.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, that the proposed four lease amendments are categorically exempt from CEQA review as they consist of the leasing of existing facilities involving negligible or no expansion of existing or former use.
2. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the fourth amendment to aviation lease with Aircraft Hangar Management, LLC (County Contract Number 75673R) **(4 VOTES)**.
3. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the fourth amendment to aviation lease with L18 Airpark, LLC (County Contract Number 124436) **(4 VOTES)**.
4. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the third amendment to aviation lease with Murray Investment Company, LLC (County Contract Number 316001) **(4 VOTES)**.
5. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the second amendment to aviation lease with Fallbrook Air Service, Inc. (County Contract Number 317016) **(4 VOTES)**.

EQUITY IMPACT STATEMENT

Fallbrook Airpark is one of eight airports owned and operated by the County of San Diego (County) that provide vital air transportation hubs, emergency response facilities, and economic engines. The County pursues delivery of these services in a fair and equitable manner and actively works to remove barriers by providing information in multiple languages and via various means, encouraging participation, and providing competitive opportunities for small businesses and business owners and managers who may be socially and economically underserved.

SUSTAINABILITY IMPACT STATEMENT

The State and County have made addressing climate change and sustainability two of the top priorities for our communities. On January 13, 2021 (5), the Board directed staff to ensure the Climate Action Plan Update (CAP Update) will meet and exceed Senate Bill 32 greenhouse gas emissions reductions by 2030 and establish actions to meet a goal of net zero carbon emissions by 2035-2045. The CAP Update applies to the unincorporated area of the county and County facilities throughout the region, including all eight County airports.

On January 27, 2021 (3), the Board directed the creation of a Regional Decarbonization Framework (RDF) to look at ways to reach zero carbon emissions throughout the region. The RDF analyzed the emissions generated by various industry sectors throughout the region and will provide implementation actions recommended for decarbonization, for example with buildings that could be used by County facilities such as airports. Planning, coordinating, and implementing effective sustainability objectives and measures are crucial to reducing the County's impact and ensuring safe and healthy communities.

In accordance with these actions, DPW is working to incorporate new environmental sustainability language and goals to our airport property leases as new leases are created or as existing leases are amended for reasons other than scheduled rent adjustments only. Today's action involves scheduled rent adjustments only, and as such, the amendments do not address changes in environmental sustainability in the subject leases.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2022-23 Operational Plan in the Department of Public Works, Airport Enterprise Fund. If approved, this request will result in revenue of \$91,384 in FY 2022-23, which is an increase of \$532 over the current budgeted amount of \$90,852. It will also result in revenue of \$92,196 in FY 2023-24. The funding source is rental payments from the lessees under the terms of the amended leases. There will be no change in net General Fund cost and no additional staff years required.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

6. **SUBJECT: NOTICED PUBLIC HEARING:
TRANSPORTATION STUDY GUIDE TO IMPLEMENT VEHICLE
MILES TRAVELED ANALYSIS DURING ENVIRONMENTAL
REVIEW IN THE UNINCORPORATED AREAS, UPDATE ON THE
PARCEL-BY-PARCEL ANALYSIS, AND UPDATES TO FIRE SAFETY
GUIDELINES AND STANDARDS (DISTRICTS: ALL)**

OVERVIEW

In 2013, the State of California passed Senate Bill 743 (SB 743), which changed how jurisdictions throughout the state, including the County of San Diego (County), analyze transportation impacts from privately and publicly initiated projects under the California Environmental Quality Act (CEQA). SB 743 identified Vehicle Miles Traveled (VMT) as the standard to evaluate a project's transportation related environmental impacts. VMT replaces motorist delay and associated level of service (LOS) as the metric for analysis under CEQA. VMT measures the amount and distance people drive to destinations, and the

number of trips specific types of land uses will generate. The intent behind SB 743 is to balance the needs of congestion management (traffic) with statewide goals to reduce greenhouse gas (GHG) emissions, encourage infill development, and improve public health through more active transportation, such as walking and biking.

While VMT is used to evaluate transportation impacts under CEQA, it plays a critical role in land use planning. One of the goals of VMT as the metric for analyzing transportation impacts under CEQA is to incentivize development in higher density areas near transit with a diverse mix of uses, and disincentivize it in lower density areas that are seen to be more distant from jobs, services, and transit. For more rural or lower density jurisdictions, VMT can affect their ability to achieve other State goals and requirements related to housing, such as the Regional Housing Needs Assessment (RHNA). RHNA is a State mandate that quantifies the need for housing, including market rate and affordable units, within each jurisdiction, including the unincorporated area.

On February 9, 2022, staff presented to the Board an overview of the 13 items directed by the Board in May 2021 related to VMT and identified options for the Board's consideration for analysis of transportation impacts of proposed projects under CEQA using VMT. The Board directed a phased approach to implement VMT in the unincorporated area using a VMT threshold based on a regional average, which includes the entire San Diego region. This direction aligns with State guidance from June 2021 that the unincorporated areas of counties should use a regional average for VMT rather than an unincorporated area average.

The first phase of VMT implementation includes the preparation of a revised TSG based on a regional geography to identify VMT Efficient Areas, as well as adding "Infill Areas" where no VMT analysis or VMT mitigation would be required. Infill Areas are locations within the unincorporated area that have higher densities and a greater mix of land uses and are located in close proximity to existing and planned transit. Additional screening criteria for defined Infill Areas include a "Village" buffer option incorporating the geographic boundaries of the surrounding "Village" as identified in the General Plan. The revised TSG would also not require VMT analysis or VMT mitigation for projects that include 100 percent affordable housing regardless of their location, which provides more opportunities for affordable housing development in the unincorporated area.

The second phase for implementing VMT in the unincorporated areas includes the development of a VMT mitigation program in potential partnership with SANDAG or other transit agencies and local jurisdictions. The second phase will involve the development of a programmatic Environmental Impact Report (EIR) potentially combining efforts with a VMT mitigation program, as well as further VMT environmental analysis of "transit opportunity areas" located near existing or planned high frequency transit. This programmatic VMT effort will also coordinate with the Board's direction on February 9, 2022 to develop a Sustainable Land Use Framework for the unincorporated areas that will further study, among other things, opportunities to consider land use and zoning changes and potentially update the General Plan, as well as incentivize and streamline processes for affordable housing.

In addition, the Board directed staff to develop an approach on “how to add a parcel-by-parcel analysis and convene stakeholder groups around the issue of addressing the additional considerations that would facilitate development in VMT exempted areas at a later date”. The parcel-by-parcel analysis would look more closely at the additional considerations that could facilitate development in VMT exempted areas, such as addressing infrastructure needs, increasing development potential or addressing other factors that may limit development in these areas today.

The Board selected additional criteria for screening out or exempting from additional VMT analysis projects located within Infill and General Plan Village Areas near existing or potential transit services, excluding any areas designated as Very High and High Fire Hazard Severity Zones (V/HFHZ). Projects located within either VMT Efficient Areas, or the defined Infill Areas that are within Transit Opportunity Areas (TOAs) would be considered to have a less than significant impact for VMT; however, projects would still be required to conduct environmental review pursuant to the California Environmental Quality Act (CEQA) for other topic areas.

The Board also directed as part of a revised TSG to continue to include a Local Mobility Analysis (LMA) component for discretionary projects, which would be used to evaluate road operations, traffic safety, and access issues outside of CEQA and continue to comply with the General Plan requirement to address road users’ safety and road capacity.

Today's request is for the Board to adopt the TSG that aligns with State guidance and establishes a threshold based on the regional average VMT (rather than an unincorporated area average), which includes the entire San Diego region. The TSG also identifies Infill Areas where no VMT analysis or VMT mitigation would be required for future development projects.

Several public comment letters have been received that address the infill threshold specifically. Some stakeholders contend that the areas identified by the State as High and Very High Fire Hazard Severity (V/HFSZ) should not be excluded from the Infill Areas; while others argue the infill threshold should not be adopted because it was not part of OPR’s technical guidance. In response to these comments, the Board can decline to adopt the TSG, adopt the TSG that was circulated for public review and presented to the Planning Commission, adopt a revised TSG without the infill screening threshold or its V/HFSZ carve-out, or adopt a revised TSG without the V/HFSZ carveout to the infill screening threshold, and direct PDS and County Fire Authority staff to return with updates to the County’s CEQA Wildfire and Fire Protection Guidelines to address fire safety.

If a TSG is adopted, projects could use the TSG immediately as the basis to address the transportation effects of projects.

In addition, today’s item includes an update on the status of the parcel-by-parcel analysis.

RECOMMENDATION(S)

PLANNING COMMISSION

On July 22, 2022, the County of San Diego Planning Commission considered staff's recommendation to adopt the Transportation Study Guide (TSG) to establish Vehicle Miles Traveled as a methodology for California Environmental Quality Act (CEQA) transportation analysis in compliance with Senate Bill (SB) 743 and establish a Local Mobility Analysis. The Planning Commission made the following recommendations to the Board of Supervisors:

1. Return to using an unincorporated VMT average when evaluating new projects instead of using a regional average that includes VMT from the incorporated cities.
2. Reconsider the threshold recommended by the State Office of Planning and Research that new projects should produce 15% less VMT than the regional average and consider using only the regional average as the threshold for VMT (not 15% below the regional threshold).
3. Only exclude very high fire severity hazard zones from the Infill Areas (keep high fire hazard areas in Infill Areas).
4. Define affordable housing in the TSG as 120% area median income (AMI).

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services recommends adopting the Transportation Study Guide as proposed, without the revisions proposed by the Planning Commission. PDS recommends that the Board take the following actions:

1. Find that the proposed resolution complies with the CEQA and State and County CEQA Guidelines because the resolution is: (1) not a project as defined in the Public Resources Code section 21065 and CEQA Guidelines section 15378, and is therefore not subject to CEQA pursuant to CEQA Guidelines sections 15060(c)(3); (2) categorically exempt pursuant to section 15308 of the CEQA Guidelines because this action will enhance and protect the environment; and (3) subject to the common sense exemption, CEQA Guidelines section 15061(b)(3), because the resolution implements existing law and therefore it can be seen with certainty that there is no possibility that it may have a significant effect on the environment.
2. Find in accordance with Section 15061(b)(3) of the California Environmental Quality Act Guidelines that providing direction on the parcel-by-parcel analysis and on potential updates to the County's fire safety guidelines is exempt because it has no potential to result in either a direct physical change to the environment or a reasonably foreseeable indirect physical change to the environment.

3. Recommend that the Board of Supervisors adopt the TSG (Attachment B) and revisions included in Attachment C by the following Resolution:

**RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
ADOPTING THE TRANSPORTATION STUDY GUIDE ESTABLISHING A
TRANSPORTATION THRESHOLD OF SIGNIFICANCE FOR VEHICLE MILES
TRAVELED (*Staff Recommendation*)**

4. Direct staff to update the County's California Environmental Quality Act (CEQA) Wildfire and Fire Protection Guidelines (Fire Guidelines) and other fire standards that include the following *(optional but recommended if the changes in Attachment C are adopted with the Revised TSG)*:
 - a. Return to the Board within 2-4 months with focused updates to identify specific requirements within High and Very High Fire Hazard Severity Zones (V/HFSZ), including the mandatory requirement for a Fire Protection Plan and require that any exceptions to the State Fire Code, as adopted by the County, are required to be mitigated through an alternative that has the same practical effect. If adopted, the Fire Guidelines would apply to all new projects and in-process projects that have not yet been approved.

This option would remove flexibility by requiring a Fire Protection Plan in V/HFSZs and require mitigation for any projects that do not meet standards. Due to the timeframe, this option would have limited stakeholder outreach. Additional stakeholder outreach would add 3-4 months for a total of 5-7 months *(Staff Recommendation)*; and

- b. Return to the Board within 12-14 months with a comprehensive update to the Fire Guidelines to update all the requirements of a Fire Protection Plan, including water supply, access, fuel modification, and construction standards. The comprehensive update would bring the Fire Guidelines up to current standards, incorporate changes to the Fire Code and revisions to the V/HFSV maps, but would not include any requirements related to evacuation. If adopted, the Fire Guidelines would apply to all new projects and in-process projects that have not yet been approved *(Staff Recommendation)*; and
 - c. Return to the Board within 18-24 months with an update to the Fire Guidelines after a 30-day public review, best practices research, stakeholder outreach, and development of an evacuation methodology, with updates to the requirements for a Fire Protection Plan noted in Option 2 (water supply, access, fuel modification, and construction standards), and adding a requirement that new development projects in V/HFSV provide evacuation plans using the adopted methodology that includes standards for road capacity, roadside fuel modification, and intersection controls. *(Staff Recommendation)*
5. Receive the update on the parcel-by-parcel analysis.

EQUITY IMPACT STATEMENT

An analysis of transportation impacts as measured by Vehicle Miles Traveled (VMT) will reduce environmental and health impacts associated with transportation, including noise, air pollution and safety, and help accomplish the goals of Senate Bill 743 to balance the needs of congestion management with goals related to infill development, promotion of public health, and reduction of greenhouse gas emissions. The Transportation Study Guide for VMT would allow projects with 100 percent affordable housing to move forward without VMT analysis or VMT mitigation regardless of their location, which provides more opportunities for affordable housing development in the unincorporated areas.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to adopt a Transportation Study Guide (TSG) for Vehicle Miles Traveled (VMT) will reduce greenhouse gas (GHG) emissions by encouraging infill development as well as improve public health through more active transportation, such as walking and biking. The TSG will reduce VMT by encouraging infill development within VMT efficient and Infill Areas, allowing up to 5,870 housing units to move forward without VMT analysis or VMT mitigation due to their proximity to existing and planned transit. By encouraging infill development, the TSG will reduce VMT and GHG within the unincorporated area helping to meet the State and County's climate, health, and mobility goals through implementation of Senate Bill 743. Extensive community engagement was conducted to develop the TSG, including public meetings and workshops with staff, the Planning Commission, and Board of Supervisors, as well as a 30-day public review.

FISCAL IMPACT

There is no fiscal impact associated with receiving the report presented today. If directed by the Board, the update to the County's California Environmental Quality Act (CEQA) Wildfire and Fire Protection Guidelines (Fire Guidelines) will result in total costs of \$350,000 for consulting services, reimbursable staff time, and other project expenses. Funds for the updated Fire Guidelines are included in the Fiscal Year (FY) 2022-23 Operational Plan in Planning & Development Services (PDS). Funding source is one-time General Purpose Revenue. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION 6.1:

A motion was made by Supervisor Fletcher, seconded by Supervisor Vargas, for the Board of Supervisors to take the following actions:

1. Find that the proposed resolution complies with the CEQA and State and County CEQA Guidelines because the resolution is: (1) not a project as defined in the Public Resources Code section 21065 and CEQA Guidelines section 15378, and is therefore not subject to CEQA pursuant to CEQA Guidelines sections 15060(c)(3); (2) categorically exempt pursuant to section 15308 of the CEQA Guidelines because this action will enhance and protect the environment; and (3) subject to the common sense exemption, CEQA Guidelines section 15061(b)(3), because the resolution implements existing law and therefore it can be seen with certainty that there is no possibility that it may have a significant effect on the environment.
2. Find in accordance with Section 15061(b)(3) of the California Environmental Quality Act Guidelines that providing direction on the parcel-by-parcel analysis and on potential updates to the County's fire safety guidelines is exempt because it has no potential to result in either a direct physical change to the environment or a reasonably foreseeable indirect physical change to the environment.

3. Recommend that the Board of Supervisors adopt the TSG (Attachment B) and revisions included in Attachment C by the following Resolution:
**RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
ADOPTING THE TRANSPORTATION STUDY GUIDE ESTABLISHING A
TRANSPORTATION THRESHOLD OF SIGNIFICANCE FOR VEHICLE MILES
TRAVELED.**
4. Direct staff to update the County's California Environmental Quality Act (CEQA) Wildfire and Fire Protection Guidelines (Fire Guidelines) and other fire standards that include the following:
 - a. Return to the Board within 2-4 months with focused updates to identify specific requirements within High and Very High Fire Hazard Severity Zones (V/HFSZ), including the mandatory requirement for a Fire Protection Plan and require that any exceptions to the State Fire Code, as adopted by the County, are required to be mitigated through an alternative that has the same practical effect. If adopted, the Fire Guidelines would apply to all new projects and in-process projects that have not yet been approved.

This option would remove flexibility by requiring a Fire Protection Plan in V/HFSZs and require mitigation for any projects that do not meet standards. Due to the timeframe, this option would have limited stakeholder outreach. Additional stakeholder outreach would add 3-4 months for a total of 5-7 months; and
 - b. Return to the Board within 12-14 months with a comprehensive update to the Fire Guidelines to update all the requirements of a Fire Protection Plan, including water supply, access, fuel modification, and construction standards. The comprehensive update would bring the Fire Guidelines up to current standards, incorporate changes to the Fire Code and revisions to the V/HFSV maps, but would not include any requirements related to evacuation. If adopted, the Fire Guidelines would apply to all new projects and in-process projects that have not yet been approved; and
 - c. Return to the Board within 18-24 months with an update to the Fire Guidelines after a 30-day public review, best practices research, stakeholder outreach, and development of an evacuation methodology, with updates to the requirements for a Fire Protection Plan noted in Option 2 (water supply, access, fuel modification, and construction standards), and adding a requirement that new development projects in V/HFSV provide evacuation plans using the adopted methodology that includes standards for road capacity, roadside fuel modification, and intersection controls.
5. Receive the update on the parcel-by-parcel analysis.

(Substitute motion was introduced.)

ACTION 6.2:

A substitute motion was made by Supervisor Desmond, seconded by Supervisor Anderson, for the Board of Supervisors to take the following actions:

1. Find that the proposed resolution complies with the CEQA and State and County CEQA Guidelines because the resolution is: (1) not a project as defined in the Public Resources Code section 21065 and CEQA Guidelines section 15378, and is therefore not subject to CEQA pursuant to CEQA Guidelines sections 15060(c)(3); (2) categorically exempt pursuant to section 15308 of the CEQA Guidelines because this action will enhance and protect the environment; and (3) subject to the common sense exemption, CEQA Guidelines section 15061(b)(3), because the resolution implements existing law and therefore it can be seen with certainty that there is no possibility that it may have a significant effect on the environment.
2. Find in accordance with Section 15061(b)(3) of the California Environmental Quality Act Guidelines that providing direction on the parcel-by-parcel analysis and on potential updates to the County's fire safety guidelines is exempt because it has no potential to result in either a direct physical change to the environment or a reasonably foreseeable indirect physical change to the environment.
3. Return to the unincorporated VMT for new projects instead of the regional VMT and reconsider the threshold by the State Office of Planning and research that new projects should produce no more than the VMT of the unincorporated average; and, also include an affordable housing in the TSG as 120% area median income (AMI).
4. Direct staff to update the County's California Environmental Quality Act (CEQA) Wildfire and Fire Protection Guidelines (Fire Guidelines) and other fire standards that include the following:
 - a. Return to the Board within 2-4 months with focused updates to identify specific requirements within High and Very High Fire Hazard Severity Zones (V/HFSZ), including the mandatory requirement for a Fire Protection Plan and require that any exceptions to the State Fire Code, as adopted by the County, are required to be mitigated through an alternative that has the same practical effect. If adopted, the Fire Guidelines would apply to all new projects and in-process projects that have not yet been approved.

This option would remove flexibility by requiring a Fire Protection Plan in V/HFSZs and require mitigation for any projects that do not meet standards. Due to the timeframe, this option would have limited stakeholder outreach. Additional stakeholder outreach would add 3-4 months for a total of 5-7 months; and

- b. Return to the Board within 12-14 months with a comprehensive update to the Fire Guidelines to update all the requirements of a Fire Protection Plan, including water supply, access, fuel modification, and construction standards. The comprehensive update would bring the Fire Guidelines up to current standards, incorporate changes to the Fire Code and revisions to the V/HFSV maps, but would not include any requirements related to evacuation. If adopted, the Fire Guidelines would apply to all new projects and in-process projects that have not yet been approved; and

- c. Return to the Board within 18-24 months with an update to the Fire Guidelines after a 30-day public review, best practices research, stakeholder outreach, and development of an evacuation methodology, with updates to the requirements for a Fire Protection Plan noted in Option 2 (water supply, access, fuel modification, and construction standards), and adding a requirement that new development projects in V/HFSV provide evacuation plans using the adopted methodology that includes standards for road capacity, roadside fuel modification, and intersection controls.

5. Receive the update on the parcel-by-parcel analysis.

AYES: Anderson, Desmond

NOES: Vargas, Lawson-Remer, Fletcher

(Substitute motion failed due to lack of majority vote.)

ACTION 6.3:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Vargas, the Board of Supervisors closed the Hearing and took the following actions:

1. Found that the proposed resolution complies with the CEQA and State and County CEQA Guidelines because the resolution is: (1) not a project as defined in the Public Resources Code section 21065 and CEQA Guidelines section 15378, and is therefore not subject to CEQA pursuant to CEQA Guidelines sections 15060(c)(3); (2) categorically exempt pursuant to section 15308 of the CEQA Guidelines because this action will enhance and protect the environment; and (3) subject to the commonsense exemption, CEQA Guidelines section 15061(b)(3), because the resolution implements existing law and therefore, it can be seen with certainty that there is no possibility that it may have a significant effect on the environment.
2. Found in accordance with Section 15061(b)(3) of the California Environmental Quality Act Guidelines that providing direction on the parcel-by-parcel analysis and on potential updates to the County's fire safety guidelines is exempt because it has no potential to result in either a direct physical change to the environment or a reasonably foreseeable indirect physical change to the environment.
3. Recommend that the Board of Supervisors adopt the TSG (Attachment B) and revisions included in Attachment C by the following Resolution No. 22-144 entitled:
RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
ADOPTING THE TRANSPORTATION STUDY GUIDE ESTABLISHING A
TRANSPORTATION THRESHOLD OF SIGNIFICANCE FOR VEHICLE MILES
TRAVELED.
4. Directed staff to update the County's California Environmental Quality Act (CEQA) Wildfire and Fire Protection Guidelines (Fire Guidelines) and other fire standards that include the following:

- a. Return to the Board within 2-4 months with focused updates to identify specific requirements within High and Very High Fire Hazard Severity Zones (V/HFSZ), including the mandatory requirement for a Fire Protection Plan and require that any exceptions to the State Fire Code, as adopted by the County, are required to be mitigated through an alternative that has the same practical effect. If adopted, the Fire Guidelines would apply to all new projects and in-process projects that have not yet been approved.

This option would remove flexibility by requiring a Fire Protection Plan in V/HFSZs and require mitigation for any projects that do not meet standards. Due to the timeframe, this option would have limited stakeholder outreach. Additional stakeholder outreach would add 3-4 months for a total of 5-7 months; and

- b. Return to the Board within 12-14 months with a comprehensive update to the Fire Guidelines to update all the requirements of a Fire Protection Plan, including water supply, access, fuel modification, and construction standards. The comprehensive update would bring the Fire Guidelines up to current standards, incorporate changes to the Fire Code and revisions to the V/HFSV maps, but would not include any requirements related to evacuation. If adopted, the Fire Guidelines would apply to all new projects and in-process projects that have not yet been approved; and
 - c. Return to the Board within 18-24 months with an update to the Fire Guidelines after a 30-day public review, best practices research, stakeholder outreach, and development of an evacuation methodology, with updates to the requirements for a Fire Protection Plan noted in Option 2 (water supply, access, fuel modification, and construction standards), and adding a requirement that new development projects in V/HFSV provide evacuation plans using the adopted methodology that includes standards for road capacity, roadside fuel modification, and intersection controls.
5. Received the update on the parcel-by-parcel analysis.
 6. Directed the Chief Administrative Officer to explore options to help create new VMT efficient areas.
 7. Directed the Chief Administrative Officer to expand study plans for new and expanded wineries if they would not increase VMT.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher
NOES: Desmond

7. SUBJECT: RETURN BACK ON EXPLORATION OF COMMUNITY BENEFITS AGREEMENTS, AND SEEKING BOARD DIRECTION ON PROGRAM OPTIONS FOR FUTURE CONSIDERATION (DISTRICTS: ALL)

OVERVIEW

Community Benefits Agreements (CBAs) are a tool that can be used to offset social, environmental, and economic impacts on communities that are created by large-scale projects, such as renewable energy and industrial/warehouse/distribution facilities in the unincorporated area of San Diego County. CBAs are agreements that are negotiated between project applicants and the community or government agency to provide local benefits as part of the project. These can be legally binding or voluntary agreements between project applicants and community groups, or project applicants and local governments. Various benefits can be offered through CBAs, such as parks and recreation opportunities, community facilities, workforce development, local hiring, and apprenticeships. CBAs can be used for various land development projects, and in California, they are often used for large-scale renewable energy projects.

On February 10, 2021 (2), the Board of Supervisors (Board) directed staff to explore a zoning ordinance update for renewable energy projects and research other related items, including CBAs. In response to Board direction, staff began exploring CBAs, including reviewing other jurisdictions' approaches to CBAs. Staff found that each jurisdiction takes a slightly different approach to CBAs based on differing community needs and that there are a variety of program, policy, and guidelines options that could assist in incentivizing and streamlining community improvements and community input in land use decisions.

On December 8, 2021 (7), the Board directed staff to investigate the feasibility and resources needed to establish CBA programs, policies, and/or guidelines to include the following options:

1. Guidelines for the County to facilitate mandatory Community Benefits Agreements including a range of benefits to be included in the agreements, such as prevailing wage, local hire, job outreach to disadvantaged (underserved) communities, and other items as appropriate including a focus on the nexus between the negative impact on the community and the project being proposed;
2. Guidelines for the types of development projects that would be subject to CBAs, including renewable energy projects, warehouses, hospitals, business parks, large scale housing, and other type projects deemed to have a significant impact; and
3. Guidelines for the County to negotiate and enter into CBAs with applicants, including identification of potential incentives that the County could offer in return for community benefits.

This Board letter presents options based on literature review and best practices research; research into common uses of CBAs, research of and interviews with other jurisdictions about their approach (jurisdictional research), an analysis of County programs, plans, and existing efforts; and stakeholder input received through various public engagements, including large public meetings, "lunch-and-learns," and small group meetings.

Today, staff is seeking further direction on proposed options to establish a CBA Program, including (1) Program Participation, whether the Program will be Mandatory and/or Voluntary (2) Program Administration, whether the County or a third-party will administer the program; and (3) Program Components, which includes options for consideration, such as benefits, community participation, and incentives. If directed by the Board, staff will begin program development and will return to the Board for program consideration at a future date.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed actions are exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3) of the CEQA Guidelines because the proposed actions do not commit the County to any definitive course of action and there is no possibility that the activity in question may have a significant effect on the environment. Subsequent actions would be reviewed pursuant to CEQA and presented to the Board for consideration prior to implementation.
2. Receive the options on Community Benefits Agreement guidelines and provide direction on the options presented, per Attachment A-Action Sheet.

EQUITY IMPACT STATEMENT

Community Benefits Agreements (CBA) programs, policies, and guidelines further incentivize and streamline community improvements and community input on land use decisions to assist in addressing significant impacts of projects on communities-especially communities that have historically been marginalized or underserved. CBAs provide local economic opportunities, empowering the public by providing opportunities for workforce development, supporting the community by increasing the communication and engagement between a project applicant and community groups; and promoting environmental justice by ensuring equal access to the decision-making process to create healthy environments.

SUSTAINABILITY IMPACT STATEMENT

Community Benefits Agreements (CBAs) allow community groups and project applicants to work together to address projects that have significant impacts on communities, beyond the traditional environmental review and mitigation pathway. CBAs could result in benefits to the local community, including additional parks, recreation spaces, open space, and habitat restoration/protection, which are all sustainable land use practices. By creating these sustainable land use practice benefits, CBAs address risks posed by climate change, particularly for our communities of concern. To have healthy and prosperous communities, we need clean air, ample potable water supply, sanitation and hygiene, safe use of chemicals, sound agricultural practices, and health-supportive governance. These issues can be addressed through Community Benefits Agreements.

FISCAL IMPACT

There is no fiscal impact associated with receiving the report back on Community Benefits Agreements (CBAs) and policy options presented today. If directed by the Board, the expanded options will result in total costs of \$805,000 for consulting services, reimbursable staff time, and other project expenses related to the development of a CBA Program such as a market analysis, peer review, and expanded outreach. Funds for the proposed CBAs program participation development are included in the Fiscal Year (FY) 2022-23 Operational Plan in Planning & Development Services (PDS). Funding source is existing one-time General Purpose Revenue. There will be no change in net General Fund costs and no additional staff years.

Program Participation 1.A: If the Board directs staff to develop and implement Voluntary CBA Guidelines, no additional funds or staffing resources would be required because a market analysis and associated peer review would not be required for Voluntary Guidelines and the remaining program development can be completed by using the previously established funds.

Program Participation 1.B: If the Board directs staff to develop and implement a Mandatory CBA Program, consulting services and other project expenses related to a market study, a peer review, and expanded outreach will cost \$265,000 and are included in FY 2022-23 Operational Plan. If the Board directs staff to lead the administration of the CBA Program, staff will return to the Board at the time of Program adoption with the required staffing resources needed in the spring or summer of 2024.

Program Participation 1.C: If the Board directs staff to develop and implement both a Mandatory CBA Program and Voluntary Guidelines, consulting services and other project expenses related to a market study, a peer review, and expanded outreach will cost \$265,000 and are included in FY 2022-23 Operational Plan. If the Board directs staff to lead the administration of the CBA Program, staff will return to the Board at the time of Program adoption with the required staffing resources needed in the spring or summer of 2024.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Lawson-Remer, seconded by Supervisor Fletcher, the Board of Supervisors took the following actions:

1. Found that the proposed actions are exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3) of the CEQA Guidelines because the proposed actions do not commit the County to any definitive course of action and there is no possibility that the activity in question may have a significant effect on the environment. Subsequent actions would be reviewed pursuant to CEQA and presented to the Board for consideration prior to implementation.

2. Received the options on Community Benefits Agreement guidelines and provided direction to adopt the following:

- 1. Program Participation**

- 1.C. Establish both Voluntary Guidelines (1.A) and a Mandatory CBA Program (1.B).

- 2. Program Administration**

- 2.A. County Administered Mandatory and/or Voluntary CBA Programs; and

- 2.B. Third Party Administered Mandatory and/or Voluntary CBA Programs

- 3. Program Components**

- 3.A. Benefit Options

- 3.A.i. Develop Pre-Set List of Benefits

- 3.B. Establish Expanded Community Engagement to Initiate Early Conversations with Potentially Impacted Communities

- 3.B.i. Identify Project Types for Expanded Community Engagement Requirements; and

- 3.B.ii. Establish Expanded Community Engagement for Certain Project Types Determined by the Board.

- 3.C. Incentives County Can Offer in Return for CBA

- 3.C.i. Develop Set List of Incentives

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

8. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Bryant Rumbaugh spoke to the Board regarding public engagement during Board meetings.

Oliver Twist spoke to the Board regarding back country fire safety.

Audra spoke to the Board regarding the election process.

Michael Brando spoke to the Board regarding comments made at Board meetings.

Rajesh Kadakia spoke to the Board regarding a permit for an RV storage facility.

KB Strange spoke to the Board regarding secondhand smoke exposure.

Becky Rapp spoke to the Board regarding concerns about the increase use of marijuana among youth.

John Bottorff spoke to the Board regarding concerns about lead pollution from airports.

Kathleen Lippitt spoke to the Board regarding concerns about public health from marijuana use.

Paul Henkin spoke to the Board regarding COVID vaccines and mandates.

Consuelo spoke to the Board regarding government issues.

Diane Grace spoke to the Board regarding concerns about marijuana addiction among youth.

Ann Riddle spoke to the Board regarding toxic smoke in public places.

Truth spoke to the Board regarding providing consultant services.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 12:50 p.m.

ANDREW POTTER
Clerk of the Board of Supervisors
County of San Diego, State of California

Consent: Perez

Discussion: Zurita


NOTE: This Statement of Proceedings sets forth all actions taken by the County of San Diego Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors, on Wednesday, October 12, 2022.



NATHAN FLETCHER
Chair

Attest:



ANDREW POTTER
Clerk of the Board

09/28/2022